

November 9, 2021 Council Meeting

The regular meeting of the Council of the City of Martinsville, Virginia was held on November 9, 2021 in Council Chambers, Municipal Building, at 7:00 PM with Mayor Kathy Lawson presiding. Other Council Members present included Danny Turner, Jennifer Bowles, Chad Martin and Tammy Pearson. Staff present included City Manager Leon Towarnicki, Community Development Director Mark McCaskill, and Deputy Police Chief Rob Fincher.

Mayor Lawson called the meeting to order and advised Council would go into Closed Session beginning at 6:00 PM. In accordance with section 2.1-344 (A) Code of Virginia (1950, and as amended) specifically reversion and election law, and upon a motion by Council Member Pearson, seconded by Vice Mayor Bowles with the following 5-0 recorded vote: Mayor Lawson, aye; Vice Mayor Bowles, aye; Council Member Pearson, aye; Council Member Turner, aye; and Council Member Martin, aye. Council convened in Closed Session to discuss the following matters: (A) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, as authorized by Subsection 6 specifically related to baseball and fiber optics, and (B) Consultation with legal counsel and briefings by staff members, attorneys or consultant pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7 specifically related to reversion. At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during the meeting. A motion was made by Vice Mayor Bowles; seconded by Council Member Martin, with the following 5-0 recorded vote in favor to return to Open Session: Council Member Turner, aye; Council Member Pearson, aye; Council Member Martin, aye; Vice Mayor Bowles, aye; and Mayor Lawson, aye. No action was taken out of Closed session.

Following the Pledge to the American Flag and invocation by Council Member Martin, Lawson welcomed everyone to the meeting.

Approve minutes from the October 26, 2021 Council Meeting – Vice Mayor Bowles made a motion to approve the minutes as presented; Council Member Turner seconded the motion with all Council Members voting in favor.

Consider reading and presenting a proclamation recognizing November 27, 2021 as the 70<sup>th</sup> anniversary of the Martinsville Alumnae Chapter of Delta Sigma Theta Sorority – Mayor Lawson explained this agenda item is being moved to the next Council meeting.

Hear an update from Martinsville-Henry County 911 Center Director J. R. Powell on implementation of the new 988 system – 911 Center Director J. R. Powell explained that the 988 system was established as a new nationwide 3-digit phone number for people in crisis to connect with suicide prevention and mental health crisis counselors. By July 16, 2022, all numbers will be routed to the national suicide prevention or crisis center hotline. Governor

November 9, 2021 Council Meeting

Northam approved Senate Bill 1302 on March 18, 2021 to establish call centers for 988 along with the funds needed, and there is an additional tax on cell phone bills that will help cover costs. The Marcus Alert voluntary database can be found on both the Henry County and Martinsville websites under the 911 tab; citizens can provide information on themselves or minor children related to behavioral issues, mental health, intellectual or brain injuries so that 988 operators can better identify their needs when a call is received from their number or address. This database is confidential with only two people having access to the file but will allow the operator to relay important information to first responders. A parent can load information on the database for a child but once the child turns 18 years old, they will need to register themselves. Senate Bill 5038 lays out the plans of who will manage the 988 system, who is responsible and the responsibilities of each locality. Some areas in Virginia are required to now dial all 10-digits when making a call since some current numbers include 988 in the prefix including 804 and our local 276 area codes. Council Member Martin pointed out that Martinsville City officers are all CIT certified to handle mental health crisis situations. Vice Mayor Bowles asked for statistics on how many calls 911 are received related to mental health.

Consider approval of a refund resulting from a verification update of estimated 2018 BPOL tax for a local business that changed federal reporting from a fiscal year to a calendar year – Commissioner of Revenue Ruth Easley explained the need for the refund which is due to a business changing from fiscal year to calendar year reporting. The refund amount is \$8,392.76 so it does require Council's approval. Council Member Pearson made the motion to approve the refund; Council Member Martin seconded the motion. Vice Mayor Bowles amended the motion to authorize the Treasurer to issue the refund effective November 12, 2021. Pearson accepted the amendment; Martin seconded the amendment with all Council Members voting in favor.

Hear an update from Sheriff Draper on the recent Kyle Petty Charity Ride – Sheriff Steve Draper detailed the Martinsville Sheriff's Motor Program. Draper summarized the purpose of the charity ride, the Victory Junction Camp that it benefits and shared a video. The charity ride has riders from all walks of life and from all over the US. The ride started in 1995 and has raised \$18million over 23 years and has traveled 11.9 million miles. There was no ride in 2020 because of COVID so the 2021 ride was called the Revival Ride and stayed in Virginia and West Virginia. Draper, along with retired Officer Tim Mills, Deputy Doug Hardy and Officer Donnie Presley represented Martinsville in the ride. Draper briefly described the Sheriff's Department's motor program, how it got started with surplus bikes and donations and how previous Governor Terry McAuliffe helped to move the program forward with grants. Draper thanked the Virginia State Police for their support in the program. The Sheriff's Department hosts a golf tournament each year that brings in funds for the motor program. Draper shared a video of the driving course that is required to become certified to operate a motorcycle in the motor program. Mayor Lawson read a letter from Morgan Petty, wife of Kyle

November 9, 2021 Council Meeting

Petty and organizers of the charity ride and a letter from Former Texas Speedway President Eddie Gossage, thanking the City of Martinsville and the Sheriff's Department for their support of the ride.

Consider final adoption of an ordinance on second reading, approving the Voluntary Settlement Agreement for Reversion, and authorizing filing of Petition – City Manager Towarnicki briefly summarized the VSA, stating that the first reading was approved November 4, 2021. Vice Mayor Bowles made the motion to adopt the ordinance on second reading. Council Member Martin seconded the motion. Council Member Pearson voiced her displeasure, stating that the public meetings are too little, too late because they come after the approval. Pearson asked that Council “stop the train” and allow additional time to conduct the reversion process in a transparent manner at the citizens’ request. The County would be thankful if the City would take the extra time and not rush the decision. Pearson explained that she wore black to the meeting to express her remorse; Council is elected to act in the best interest of the citizens which she feels they are not honoring, and she wore red because there is still time to stop the vote and slow down the process. It’s not too late, reversion can still be stopped or slowed. Pearson made the motion to amend the original motion and postpone the vote on second reading until March 22, 2022. The amendment died for lack of a second. Council Member Martin said the vote was an agreed timeline with the County and won’t stop Council from continuing to listen to citizen input. To delay the vote would unnecessarily cost the City more money. Council has not kept the citizens out of the decision to revert and the process is still open to change. Council Member Turner said Council has negotiated with the County in good faith and he is ready for the next step. Mayor Lawson explained that Council has followed the process required by Virginia Code and that they have exceeded the required number of opportunities to meet and educate the public during the past 2 years. She has talked to people regarding reversion almost daily and what she is hearing is that residents feel it should have been handled 10-20 years ago. Vice Mayor Bowles said reversion was not an easy decision to make on a personal level but on a professional level and in regards to the studies, reversion is the right thing to do on behalf of the City of Martinsville. The ordinance was approved on second reading with a 4-1 roll call vote: Martin, aye; Pearson, nay; Turner, aye; Lawson, aye; and Bowles, aye.

Consider information related to the City proposed 2022 Legislative Agenda – City Manager Towarnicki explained that the Legislative Agenda is being presented for informational purpose only, it is the same agenda that Council adopted last year. Adoption of the Legislative Agenda would happen at the next Council meeting. Council Members pointed out several line items that they would like to see updated and verbiage changes. Council Member Pearson asked if Council could get public input on the legislative agenda, Mayor Lawson explained that the Legislative Agenda is listed on the website for public review.

Consider information related to the 2022 Comprehensive Economic Development Strategy

November 9, 2021 Council Meeting

(CEDS) list – Community Development Director Mark McCaskill explained that he had followed up on Council's requests from the last meeting and invited any other suggestions Council may have for the CEDS list. Approval of the CEDS list will happen at the December 14 Council meeting. Council Members suggested changes they would like to see in the list.

Consider authorizing transfer of title at 62 Fayette Street - Vice Mayor Bowles made a motion to recess as Council and convene as the Housing Authority; Council Member Martin seconded the motion with all Council voting in favor. City Manager Towarnicki detailed the need for the title transfer and the location of the property. Vice Chair Bowles made the motion to approve the transfer of title; Housing Authority Member Martin seconded the motion with all Housing Authority Members voting in favor. Housing Authority Members requested regular updates from the contractors. The title transfer was authorized by a 5-0 roll call vote: Lawson, aye; Bowles, aye; Martin, aye; Pearson, aye; and Turner, aye. Vice Chair Bowles made a motion to adjourn as Housing Authority and reconvene as City Council; Housing Authority Member Pearson seconded the motion with all Housing Authority Members voting in favor.

Consider approval of consent agenda – Vice Mayor Bowles made a motion to approve the consent agenda as presented. Council Member Martin seconded the motion with all Council Members voting in favor.

Business from the Floor – none

Comments by City Council – Council Member Pearson reminded residents about Big Bird's Toy Run Saturday November 13 to collect toys for Christmas Cheer. Pearson wished everyone a Happy Thanksgiving later this month and thanked everyone for their support and guidance. Council Member Martin wished residents a Happy Thanksgiving. Martin asked if the Harvest Youth Board would be doing the William Prince Event again this year; Vice Mayor Bowles said that they did it last year during COVID but she would follow up to be sure. Martin asked about the Martinsville Christmas parade; Mayor Lawson confirmed the Parade would be November 20<sup>th</sup> at 5:00pm and that they are still accepting entries. Council Member Turner reminded residents that November 11 is Veteran's Day and shared details about local events recognizing the day and our local veterans. Turner said that he gets calls almost daily from residents and shared concerns about the condition of Forest Street. City Manager Towarnicki said that location could possibly be on the list of street repairs this year and the asphalt plants don't shut down until right before Christmas. Turner wished everyone a Happy Thanksgiving. Vice Mayor Bowles asked residents to take a moment to thank a veteran. She wished residents a Happy Thanksgiving and she hopes local news stations will begin posting details and promoting the Christmas parade soon. Saturday November 27 is Small Business Saturday; Bowles shared details about the \$10 vouchers that can be picked up from the Martinsville Visitors Center. Bowles make a motion to cancel the November 23 Council Meeting which is the week of Thanksgiving unless important matters need to be addressed; Council Member Martin seconded the motion with all voting in favor. Mayor Lawson shared that the parade would start at the

November 9, 2021 Council Meeting

intersection of Cleveland Avenue and Church Streets. Flags will be out Thursday for Veteran's Day. Lawson shared that Christmas Cheer would be accepting applications through Friday November 19.

Comments by the City Manager – City Manager Towarnicki reminded residents that the municipal building would be closed Thursday for Veteran's Day. There will be a public meeting on Tuesday November 16 regarding reversion; there is a sign-up sheet for anyone wishing to attend. Towarnicki shared images of the first houses being set at Five Points project. Towarnicki said he was thoroughly impressed with the crews who set the homes. One of the homes has been sold and there is significant interest. Anyone wishing to receive information on the purchase of these homes can contact the City Manager's office. Towarnicki explained that he would be sharing details about the Five Points project at the Governors Housing Conference this week.

There being no further business, Vice Mayor Bowles made a motion to adjourn the meeting; the motion was seconded by Council Member Turner with all Council Members voting in favor. The meeting adjourned at 9:20pm.

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Karen Roberts, Clerk of Council

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Kathy Lawson, Mayor